**United States District Court**
For the Northern District of California

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8                    IN THE UNITED STATES DISTRICT COURT

9              FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11   LAWRENCE REYNOLDS,                         No. C 05-05201 CRB

12           Plaintiff,                         **ORDER TO SHOW CAUSE**

13       v.

14   GERALD VERBECK, et al.,

15           Defendants.
                                           /
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17       On February 13, 2007 the Court ordered plaintiff's counsel Thomas Burton to pay

18   defendants' costs incurred in bringing a motion to compel plaintiff's deposition and attending

19   the properly-noticed deposition at which neither plaintiff nor plaintiff's counsel appeared.

20   Counsel has refused to comply with the February 13 Order.

21       Accordingly, plaintiff's counsel Thomas Burton is ORDERED TO SHOW CAUSE

22   why he should not be held in contempt for violating the Court's order and why the Court

23   should not impose civil contempt sanctions of $100 per day per defendant to coerce counsel

24   to comply with the Court's order.  Plaintiff's counsel shall appear ***in person*** at the show

25   cause hearing on August 24, 2007 at 8:30 a.m.  The Court will not allow him to appear by

26   telephone.  If he wishes to respond to the Order To Show Cause in writing, he shall file and

27   serve his written response on or before July 27, 2007.  The Court has already considered and

28   rejected counsel's argument that he does not have to comply with the Court's order because

1    it is not immediately appealable.

2          The Court will hold a Case Management Conference in this action at the same time as

3    the Show Cause hearing, 8:30 a.m. on August 24, 2007.  Again, plaintiff's counsel shall

4    appear *in person* and shall cooperate with defense counsel in submitting a case management

5    conference statement.  Plaintiff and his counsel are warned that counsel's failure to appear in

6    person on August 24, 2007 may result in dismissal of plaintiff's action for a failure to

7    prosecute.

8          **IT IS SO ORDERED**.

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     Dated: July13, 2007

10                                                    CHARLES R. BREYER
                                                      UNITED STATES DISTRICT JUDGE

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For the Northern District of California

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